

### **Remarks**

Reconsideration is respectfully requested. Entry of the amendment is respectfully requested. No new matter has been added.

### **Application Status**

Prosecution was reopened following the Board decision dated August 16, 2007.

Claims 1-14 and 16-44 are pending. Canceled claim 15 was replaced by new claim 44.

Claims 1-13 were rejected pursuant to 35 U.S.C. § 103(a) over Drummond (WO 98/24041) in view of Vance (US 6,131,874).

Claims 14-23 were rejected pursuant to 35 U.S.C. § 103(a) over Drummond in view of Vance and Blumstein (US 5,589,855).

Claims 24-31 were rejected pursuant to 35 U.S.C. § 103(a) over Drummond in view of Vance, Blumstein, and Ramachandran (US 6,023,688).

Claims 32-43 were rejected pursuant to 35 U.S.C. § 103(a) over Ramachandran in view of Vance and Drummond.

Claim 15 was also objected to.

### **The Remand**

The Board decision (at page 14) indicates that the application was remanded so the Examiner could "consider whether any of the subject matter of the pending claims would have been obvious to one having ordinary skill in the art at the time of the invention in view of the teachings of Vance in combination with *other* pertinent art of which the Examiner is or becomes aware." That is, as best understood, the remand was so the Examiner had an opportunity to consider *other art not of record* which may now be pertinent in view of (newly noted) Vance.

The Board was fully aware of the art of record (including Vance) at the time of their decision. The decision (at page 14) indicates that there was no legal basis for any rejection based on any combination of that art of record (including Vance). Otherwise, the Board would have made their own new rejection.

The pending new rejections are not based on any newly cited prior art. Therefore, they add nothing to the art (e.g., Drummond, Ramachandran, and Vance) already fully considered by the Board. It follows that the original decision's reversal of all rejections can only be repeated.

The Board also specifically notified the Examiner that they were of the opinion that Vance could *not* be properly relied upon for a teaching which "stores characteristic feature and interface parameter data for a plurality of users" (decision at page 14). Unfortunately, this is the reason relied upon by the Examiner to reopen prosecution.

Applicants respectfully submit that the claims, as they were before the decision, continue to be in condition for allowance.

### **The Rejections**

Applicants respectfully traverse the rejections. Applicants agree with the Board that the references, taken alone or in combination, do not teach or suggest the recited features and relationships. The Office has not established a *prima facie* showing of obviousness. Nor would it have been obvious to one having ordinary skill in the art to have combined the references in the manner alleged by the Office to have produced the recited invention.

Applicants' Appeal Brief filed February 1, 2005 and Reply Brief filed June 6, 2005 are each herein incorporated by reference.

For reasons of brevity, claim language may be referred to herein in a shortened version. For example, language such as "at least one" may be simply referred to as "a." Also, any generalized statement is not to limit any of the claims in any manner. Please refer to the claims for the exact claim language.

**Claim 1**

Applicants disagree with the inferred allegation in the rejections that Vance is directed to storing in a plural user data store for each user, data associating each respective user with a characteristic feature and an interface parameter; determining from the data store, an interface parameter associated with a user responsive to a sensed characteristic feature; and moving a display screen responsive to the determined interface parameter.

The Office has not established a *prima facie* case of obviousness. It would not have been obvious to one having ordinary skill in the art to have combined the references in the manner alleged by the Office to have produced the recited invention.

**Claim 32**

Applicants disagree with the inferred allegation in the rejections that Vance has a computer in operative connection with a plural user data store, which has for each user, an associated characteristic feature and interface parameter; and where the computer can cause a display screen to move in accordance with an interface parameter associated in the data store with a first user, responsive to a sensed characteristic feature being associated in the data store with the first user.

The Office has not established a *prima facie* case of obviousness. It would not have been obvious to one having ordinary skill in the art to have combined the references in the manner alleged by the Office to have produced the recited invention.

#### **Claim 37**

Applicants also disagree with the inferred allegation in the rejections that Vance is directed to using a characteristic feature data store, in which the characteristic features correspond to at least one of a plurality of users, and which has for each characteristic feature, an associated interface parameter.

The Office has not established a *prima facie* case of obviousness. Nor would it have been obvious to one having ordinary skill in the art to have combined the references in the manner alleged by the Office to have produced the recited invention.

#### **Claim 38**

Applicants further disagree with the inferred allegation in the rejections that Vance is directed to using a characteristic feature data store, in which for each characteristic feature there is corresponding user and interface parameter data; and where responsive to a received first user characteristic feature, a computer can determine the corresponding first user and first user interface parameter data, to cause a display screen to either operate or not operate responsive to the determined first user interface parameter.

The Office has not established a *prima facie* case of obviousness. Nor would it have been obvious to one having ordinary skill in the art to have combined the references in the manner alleged by the Office to have produced the recited invention.

#### **Claim 44**

Where do the references teach or suggest a computer that can determine, for each of a plurality of authorized users, a respective display screen position correlated with the respective authorized user in a data store; and can cause the display screen to be moved to the determined display screen position? It would not have been obvious to one having ordinary skill in the art to have combined the references in the manner alleged by the Office to have produced the recited invention.

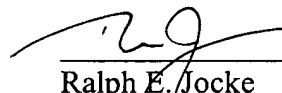
#### **The Dependent Claims**

Each of the dependent claims depends directly or indirectly from an independent claim. The independent claims have been shown to be allowable. Thus, it is asserted that the dependent claims are allowable on the same basis. Furthermore, each of the dependent claims recites additional specific features and relationships that further patentably distinguish the claimed invention over the applied art.

#### **Conclusion**

Applicants respectfully submit that this application is in condition for allowance. The undersigned is willing to discuss any aspect of the Application at the Office's convenience.

Respectfully submitted,



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